

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re Application of: CATTANEO	
Serial No.: 10/583,618	Group Art Unit:
Filed:	Examiner:
For: Method for the Humanization of Antibodies and Humanized Antibodies thereby Obtained	

REQUEST FOR ACTION ON PETITION

Mail Stop PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request the Office to act on and grant the Petition filed 19 Sept. 2008 and to advance this application for action on the merits. A copy of the prior petition, the EFS receipt showing payment, the inventors declarations, and an Application Data Sheet, are attached in support of this request. If there are any questions or for some reason there are additional requirements, the Office is requested to contact the undersigned.

Respectfully submitted,

JUNEAU PARTNERS, PLLC

Date: April 24, 2009



JUNEAU PARTNERS, PLLC
P.O. Box 2516
Alexandria, VA 22301
Tel: (703) 548-3569

Todd L. Juneau
Reg. No. 40,669
Customer No. 50438

Application Data Sheet 37 CFR 1.76

Application Number: 10/583,618

Title of Invention:

Method for the Humanization of Antibodies and Humanized Antibodies thereby Obtained

Application Information	
Application Type::	Regular
Subject Matter::	Utility
Suggested Classification::	
Suggested Group Art Unit::	
CD-ROM or CD-R?	None
Title::	
Attorney Docket Number::	Des-94250
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	13
Small Entity::	Yes
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

Applicant Information	
Applicant 1	
Applicant Authority type::	Inventor
Primary Citizenship Country:	ITALY
Status::	Full Capacity
Given Name::	Antonio
Family Name::	CATTANEO
City of Residence::	Pomezia

Application Data Sheet 37 CFR 1.76

Application Number: 10/583,618

Title of Invention:

Method for the Humanization of Antibodies and Humanized Antibodies thereby Obtained

State or Province of Residence::	
Country of Residence::	ITALY
Street of mailing address::	c/o Lay Line Genomics SpA Via di Castel Romano 100
City of mailing address::	Pomezia
State or Province of mailing address::	
Postal or Zip Code of mailing address::	00040 Italy
Applicant 2	
Applicant Authority type::	Inventor
Primary Citizenship Country:	ITALY
Status::	Full Capacity
Given Name::	Doriano
Family Name::	LAMBDA
City of Residence::	Pomezia
State or Province of Residence::	
Country of Residence::	ITALY
Street of mailing address::	c/o Lay Line Genomics SpA Via di Castel Romano 100
City of mailing address::	Pomezia
State or Province of mailing address::	
Postal or Zip Code of mailing address::	00040 Italy
Applicant 3	

Application Data Sheet 37 CFR 1.76

Application Number: 10/583,618

Title of Invention:

Method for the Humanization of Antibodies and Humanized Antibodies thereby Obtained

Applicant Authority type::	Inventor
Primary Citizenship Country:	ITALY
Status::	Full Capacity
Given Name::	Sonia
Family Name::	COVACEUSZACH
City of Residence::	Pomezia
State or Province of Residence::	
Country of Residence::	ITALY
Street of mailing address::	c/o Lay Line Genomics SpA Via di Castel Romano 100
City of mailing address::	
State or Province of mailing address::	
Postal or Zip Code of mailing address::	00040 Italy

Correspondence Information	
Correspondence Customer Number::	50438
Representative Information	
Representative Customer Number:	50438
as my attorneys or agents to prosecute the application identified above in the U.S. and worldwide, and to transact all business in the Patent and Trademark Offices connected therewith.	

Application Data Sheet 37 CFR 1.76

Application Number: 10/583,618

Title of Invention:

Method for the Humanization of Antibodies and Humanized Antibodies thereby Obtained

Domestic Priority Information

Application::	Continuity Type:	Parent Application::	Parent Filing Date::

Foreign Priority Information

Country::	Application Number::	Filing Date::	Priority Claimed::
IT	RM2003000601	24.12.2003	YES

Assignee Information	
Assignee Name::	LAY LINE GENOMICS SPA

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: CATTANEO

Application No.: 10/583,618

Art Unit:

Filed: JUNE 20, 2006

Examiner:

Title: METHOD FOR THE HUMANIZATION OF ANTIBODIES AND HUMANIZED ANTIBODIES THEREBY OBTAINED

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 770 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response to Missing Parts (declaration info & sequence list) (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/ Todd L. Juneau /

Signature

19 Sept 2008

Date

Todd Juneau

Typed or printed name

40669

Registration Number, if applicable

P.O. Box 2516 Alexandria, VA 22314

Address

703-548-3569

Telephone Number

Address

Enclosures: ☐ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

Electronic Patent Application Fee Transmittal

Application Number:	10583618			
Filing Date:				
Title of Invention:	Method for the humanization of antibodies and humanized antibodies thereby obtained			
First Named Inventor/Applicant Name:	ANTONINO Cattaneo			
Filer:	Todd L. Juneau			
Attorney Docket Number:	Des-Cattaneo 1			
Filed as Small Entity				
U.S. National Stage under 35 USC 371 Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition-revive unintent. abandoned appl	2453	1	770	770
Patent-Appeals-and-interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				770

Electronic Acknowledgement Receipt

EFS ID:	3971520
Application Number:	10583618
International Application Number:	
Confirmation Number:	5926
Title of Invention:	Method for the humanization of antibodies and humanized antibodies thereby obtained
First Named Inventor/Applicant Name:	ANTONINO Cattaneo
Customer Number:	50438
Filer:	Todd L. Juneau
Filer Authorized By:	
Attorney Docket Number:	Des-Cattaneo 1
Receipt Date:	19-SEP-2008
Filing Date:	
Time Stamp:	13:02:20
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$770
RAM confirmation Number	7293
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Petition for review by the Office of Petitions.	Cattaneosb0064.pdf	154972 Ba193c67b9e32ef8b31b9e249cc414b4228434f	no	2
Warnings:					
Information:					
2	Oath or Declaration filed	Cattaneo1_Declaration_2_1.pdf	1318676 023b8373d9a78e6fc70cfdc98432379f9aceb9d9	no	3
Warnings:					
Information:					
3	Sequence Listing (Text File)	Seqlisting84150.txt	20749	no	0
Warnings:					
Information:					
4	Fee Worksheet (PTO-06)	fee-info.pdf	29729 5051e1775884eac84618d85d817539b038d868ba	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1524126		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration
Submitted
With Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number	Des-Cattaneo 1
First Named Inventor	CATTANEO
COMPLETE IF KNOWN	
Application Number	10/853,618
Filing Date	June 20, 2006
Art Unit	
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method for the humanization of antibodies and humanized antibodies thereby obtained

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) Dec 23, 2004 as United States Application Number or PCT International

Application Number PCT/IT04/000722 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
PCT/IT2004/000722	PCT	December 23 2004	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RM2003A000601	IT	December 24 2003	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

I hereby appoint as my attorney and please direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer Number: (confirmed below)		50438		OR <input type="checkbox"/> Correspondence address below	
Name JUNEAU PARTNERS					
Address 2506 Clay Street					
City Alexandria		State Virginia		ZIP 22302	
Country United States of America		Telephone (703) 706-0405		Email todd@juneaupartners.com	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Antonino			Family Name or Surname CATTANEO		
Inventor's Signature <i>Ant CattanEO</i>					Date Sep 11, 2006
Residence: City ROMA		State ITALY		Country ITALIAN	
Mailing Address c/o Lay Line Genomics SpA, Via di Castel Romano 100					
City Pomezia (RM)		State ITALY		Country 00040	
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Doriano			Family Name or Surname LAMBA		
Inventor's Signature <i>Doriano Lamba</i>					Date Sep 14, 2006
Residence: City ROMA		State ITALY		Country ITALIAN	
Mailing Address c/o Lay Line Genomics SpA, Via di Castel Romano 100					
City Pomezia (RM)		State ITALY		Country 00040	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>ADD</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.					

ADD Supplemental sheet PTO/SB/02A

Sonia COVACEUSZACH

Sonia Covaceuszach
(Inventor's Signature)

Sep 11, 2006

c/o Lay Line Genomics SpA, Via di Castel Romano 100
Pomezia (RM) 00040 - ITALY

**COMBINED
DECLARATION FOR PATENT APPLICATION (37 CFR 1.63)
POWER OF ATTORNEY**

In re: Patent Application of:

CATTANEO

Title of Invention:

Method for the Humanization of Antibodies and Humanized Antibodies thereby Obtained

Filing Date: 6/20/2006

Application No.: 10/583,618

INVENTOR'S DECLARATION

I hereby declare that:

[X] Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

[X] I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention.

[X] I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

[X] I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

POWER OF ATTORNEY

[X] I hereby appoint the practitioners associated with Customer No. 50438

Todd L. Juneau, Reg. No. 40669

c/o JUNEAU PARTNERS, PLLC

P.O. Box 2516

Alexandria, Virginia 22301-0516

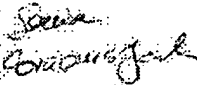
Tel (703) 548-3569

Email: todd@juneaupartners.com

as my attorney for representation in all matters before the U.S. Patent & Trademark Office and throughout the world for any and all applications, patents, international applications, registrations, certifications, and proceedings, related to the above invention.

[X] I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR(S) SIGNATURE AND REQUIRED INFORMATION

date	inventor(s) name	inventor(s) signature	residence address	citizenship
	Antonio CATTANEO		c/o Lay Line Genomics SpA Via di Castel Romano 100 Pomezia (RM) 00040 Italy	Italian
	Doriano LAMBA		c/o Lay Line Genomics SpA Via di Castel Romano 100 Pomezia (RM) 00040 Italy	Italian
April 20th, 2009	Sonia COVACEUSZACH		c/o Lay Line Genomics SpA Via di Castel Romano 100 Pomezia (RM) 00040 Italy	Italian